



I, Ryan M. Madigan, do hereby declare as follows:

1. I am over the age of 18 years, have personal knowledge of the matters set forth in this Declaration, and if called upon to testify to them, I would and could do so competently.
2. I am a C-5 instructor pilot in the United States Air Force Reserve currently serving in the 68th Airlift Squadron at JBSA Lackland, TX.
3. I was sworn in to the USAF in July 2011 and commissioned in February 2012. I graduated from Undergraduate Pilot Training in June 2013 and have been serving as a C-5 pilot since then, upgrading to Aircraft Commander in November 2016 and Instructor Pilot in February 2019. I have a total of 1,500+ C-5 flying hours with zero incidents or violations. I have served as both a part-time Traditional Reservist (TR) and a full-time Air Reserve Technician (ART). I have been serving in a TR status since 2017.
4. While I was an ART, I served as both the Squadron and Group Training Officer, responsible for the training and currency requirements of 250+ aircrew members. I was selected as the Squadron Company Grade Officer of the Quarter in 2017 while performing this role.
5. Since early 2020, I have served as our Squadron Chief of Pilot Hiring, responsible for screening hundreds of potential applicants each year, selecting interview candidates, and submitting them to the Air Force Reserve Command (AFRC) board to obtain a training slot. In this role, I have twice been selected as the Operations Group Flight Commander of the Quarter (1Q 2021 and 4Q 2021).

6. I submitted a Religious Accommodation (RA) request on 2 Oct 2021 in response to the COVID-19 vaccine mandate. I received notification of the denial of my RA request on 18 Nov 2021, and was given only 72 hours to appeal the decision despite the fact that I was not on any kind of a military status at the time, and in fact was working at my civilian job as a pilot. Despite the ridiculous timeline allotted, I still submitted my appeal to the AFRC Surgeon General within the required 72 hours. As of today I have still not received a response to this appeal.

7. I have now served honorably for over ten years without the slightest blemish on my record, and have been directly told that I will soon be given a UCMJ Article 15 and then separated from the Air Force for refusing the COVID-19 vaccine.

8. I was directly told on 3 Dec 2021 that I am grounded from all flying events to include the simulator, and have not been allowed to fly since then. This policy has resulted in my being noncurrent in the C-5 and will soon lead to loss of my qualification in the airplane. When I asked to have the grounding policy in writing, I was told that I wouldn't be getting it in writing.

9. I have been ordered to serve mandatory Annual Tour (AT) on four different days since submitting my RA, presumably so that I could then be ordered to receive the COVID-19 vaccine if my RA and/or appeal were denied. These days have severely disrupted my civilian work schedule since one-off AT days have caused me to lose civilian flying trips that represented my entire months' work.

10. I have a documented COVID-19 positive test result on 24 Jan 2022, and was cleared to return to work on 5 Feb 2022. The Air Force does not allow for natural

immunity from a prior infection as justification for an exemption from the COVID-19 vaccine.


11. I pointed out to our 433d Aerospace Medicine Squadron (AMDS) Commander in September 2021 that military members could not be forced to receive an Emergency Use Authorization (EUA) vaccine, and that the Pfizer/BioNTech vaccine being administered was still under EUA. He responded that the Pfizer/BioNTech vaccine was interchangeable with the FDA-approved Comirnaty. After I replied that the FDA fact sheet for the Pfizer/BioNTech vaccine made clear the legal distinction between the two, he stopped responding. As far as I can tell, JBSA Lackland is still administering only EUA vaccines.

12. I am likely facing an involuntary discharge upon denial of my RA appeal. I am expecting to be punished with a discharge characterization less than Honorable, which will result in the loss of my Post-9/11 GI Bill benefits as well as any opportunity to continue serving until eligible for an AF Reserve retirement.

13. My vaccination status did not prevent me from continuing to execute the mission of the AF Reserve until I was grounded in December 2021 for refusing the vaccine. During the pandemic, I maintained flight currency in the C-5 and flew on multiple worldwide missions. In addition, I have continuously flown worldwide as a B777 pilot for FedEx Express, with my vaccine status having no functional impact on my ability to perform the job.

I declare under penalty of perjury, under the laws of the United States, that the foregoing statements are true and correct to the best of my knowledge.

Executed this February 10th, 2022.

  
Capt Ryan M. Madigan, USAF Reserve